

**Opening Statement of Republican Leader Greg Walden
Subcommittee on Environment and Climate Change
“EPA’s Lead and Copper Proposal: Failing to Protect Public Health”
February 11, 2020**

As Prepared for Delivery

Thank you, Mr. Chairman.

The issue of lead exposures in drinking water is obviously of great concern to the safety of our communities and our children’s health and well-being. The question is how do we tackle this issue in a way that makes the most sense for public health – in a broad sense, in a constitutionally permissible manner, and that best leverages finite public and private resources on this task?

No matter how simple people want to make this issue, from engineering to policy choices, the Lead and Copper Rule and its proposed revisions is one of the more technical and challenging drinking water rules that EPA has. Lead is typically not present in drinking water sources, nor is it removed at the treatment plant.

Moreover, as raised in testimony of the witness from the Association of Metropolitan Water Agencies, even if every lead service line in the country was replaced, lead tainted home plumbing fixtures and piping would continue to present lead exposure issues.

Getting EPA to agreement in 1991 on the existing Lead and Copper Rule was no small feat and the fact that its revisions have taken three decades to formally propose is both frustrating and unsurprising. While they are not here to accept congratulations, Administrator Wheeler and the staff in EPA's Office of Groundwater and Drinking Water deserve credit for finally getting a proposal out the door when many had given up on its prospects.

As we all know, though, the proposed rule is still very early in the process. Tomorrow, the public comment period closes and EPA will be busy digesting and assembling responses to the many issues the public is raising on this rule, of which I expect today to be a brief preview. While I wish we had this oversight hearing at a time when EPA and a broader set of witnesses could be heard, it is important that we learn these issues on the front end to understand their impacts when decided by EPA.

I am interested in learning more from Mr. Estes-Smargiassi and other municipal officials about the impact of the mandates this proposed rule will place on drinking water systems – particularly an unfunded mandates, The Drinking Water State Revolving Fund program in the Safe Drinking Water Act owes its existence entirely to a congressional desire to address unfunded mandates posed by Federal regulations – not to subsidize rates or chase other collateral goals.

I also want to understand from these same folks whether this rule strikes the correct balance between addressing lead pipes – their treatment or replacement – in a cost-effective way for citizens and local governments. We must also be careful not to avoidably have Federal law and state and local requirements conflict with each other and make simultaneous compliance impossible.

In addition, because continued disturbances that rattle pipes in turn shakes new lead into the system, I also want to better appreciate what economic and practical impact this rule might have on local planning related to other emergency services, like fire safety, sewage, and telecommunications.

Finally, I am interested in hearing from Commissioner Bobbitt, as a rural elected official. I think we must look at the cost of this rule to taxpayers, states, communities, and the Federal government. Every finite dollar we spend here is one dollar less we can spend on other public health priorities.

Mr. Chairman, I want to welcome our many witnesses here today – some making return appearances. We are fortunate to have the level of expertise that many of our witnesses bring to this subject and I look

forward to the question and answer period to get behind their written statements.

I yield back the balance of my time.